IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

UNITED STATES OF AMERICA ex rel.	§	
Mendez, et al.,	§	
Plaintiff,	§ § §	CAUSE NO. 4:21-CV-2565
V.	§	
	§	
	§	
DOCTORS HOSPITAL AT RENAISSANCE, LTD., et al.,	\$ \$ \$	
Defendants.	§	

RELATORS' MOTION FOR PARTIAL DISMISSAL OF COUNTS I, II, AND IV OF RELATORS' SECOND AMENDED COMPLAINT

Pursuant to Fed. R. Civ. P. 41(a)(2), Relators Donna Mendez and Selina Rushing, respectfully submit this motion requesting an Order of this Court dismissing with prejudice Counts I, II, and IV of Relators' Second Amended Complaint brought under the False Claims Act and the Texas Medicaid Fraud Prevention Act (*See* Relators' Second Amended Complaint at ¶¶ 293-314 and 318-332; ECF 151). Pursuant to the Rules of Civil Procedure, Relators seek approval of this dismissal prior to any counterclaims or interrelated claims have been brought by any other parties that would make dismissal of Relators' claims in Counts I, II, and IV of Relators' Second Amended Complaint impractical.

Further, Relators intend for this motion to only dismiss Counts I, II, and IV of Relators' Second Amended Complaint, Relators do not intend to dismiss the claims for retaliation brought by Relator Rushing in Count III of Relators' Second Amended Complaint.

WHEREFORE, Relators respectfully request that the Court grant their Motion for Partial Dismissal, issue an order dismissing Counts I, II, and IV of Relators' Second Amended Complaint with prejudice, and for such other relief to which they are entitled.

RESPECTFULLY SUBMITTED on March 17, 2025.

/s/ Anthony G. Buzbee

Anthony G. Buzbee Attorney in Charge Texas Bar No. 24001820 SDTX ID No. 22679 tbuzbee@txattorneys.com The Buzbee Law Firm JPMorgan Chase Tower 600 Travis St, Suite 7300 Houston, Texas 77002

Tel: (713) 223-5393 Fax: (713) 223-5909

COUNSEL FOR RELATORS

CERTIFICATE OF CONFERENCE

I hereby certify that counsel for Relators conferred with counsel for Defendants Doctors Hospital at Renaissance, Ltd. and RGV Med., LLC via email, and confirmed that they are unopposed to the relief requested in the foregoing motion.

> /s/ Anthony G. Buzbee Anthony G. Buzbee

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above was served via the Court's CM/ECF system on March 17, 2025.

> /s/ Anthony G. Buzbee Anthony G. Buzbee